



OPCW

Conference of the States Parties

Sixteenth Session
28 November – 2 December 2011

C-16/DEC.4
29 November 2011
Original: ENGLISH

DECISION

MODALITIES FOR SCHEDULE 2 FACILITY AGREEMENTS

The Conference of the States Parties,

Recalling that paragraph 8 of Part III of the Verification Annex to the Chemical Weapons Convention provides that “[f]acility agreements shall be based on models for such agreements and provide for detailed arrangements which shall govern inspections at each facility ...”, and that the Paris Resolution establishing the Preparatory Commission for the Organisation for the Prohibition of Chemical Weapons provided that the Commission should have developed “models for facility agreements in accordance with Part III, paragraph 8, of the Verification Annex” (subparagraph 12(i) of the Paris Resolution);

Recalling also that, whereas the issue of model facility agreements was fully settled when, at its Third Session, it approved models for Schedule 1 and Schedule 2 facilities (C-III/DEC.15, dated 20 November 1998), the issue of “modalities for Schedule 2 facility agreements” was referred, in January 2004, to the consultations being held by the Industry Cluster (EC-36/INF.1, dated 8 January 2004);

Recalling further that, at its Sixty-Second Session, the Executive Council (hereinafter “the Council”) considered and noted a Note by the Director-General concerning an update on Schedule 2 facility agreements (EC-61/DG.10/Rev.1, dated 30 August 2010);

Recalling moreover that, at its Sixty-Second Session, the Council noted the report of the Vice-Chairperson of the cluster on chemical industry and other Article VI issues on the status of outstanding industry issues on the agenda of the Council since the Second Special Session of the Conference of the States Parties to Review the Operation of the Chemical Weapons Convention, and “concurred with the proposals contained therein” (paragraph 16.5 of EC-62/6, dated 8 October 2010), including the proposal that the issue of modalities for Schedule 2 facility agreements no longer be an item for the Industry Cluster to consider (paragraph II.10 of EC-62/4, dated 5 October 2010);

Recalling finally that, at its Sixty-Fourth Session, the Council noted the report (EC-64/2/Rev.1, dated 27 April 2011) by its Chairperson on the status of outstanding issues on the agenda of the Council and “approved the recommendations contained therein” (paragraph 16 of EC-64/6, dated 6 May 2011), particularly the recommendation to consider certain issues (as detailed in EC-62/4) falling under the competence of the Council within



Cluster II (chemical industry and other Article VI issues) as closed, and not requiring any further action; and

Noting the decision of the Council at its Sixty-Sixth Session (EC-66/DEC.6, dated 5 October 2011) recommending that the Conference of the States Parties at its Sixteenth Session consider the issue of modalities for Schedule 2 facility agreements as closed and not requiring any further action;

Hereby:

Considers the issue of modalities for Schedule 2 facility agreements as closed and not requiring any further action.

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